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JC14 Re PCT/PTO 23 MAR 2005

Express Mail No. ER 953583679 US

Docket No. 21405 US C038435/0185664

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ACTING AS  
DESIGNATED/ELECTED OFFICE (DO/EO/US) UNDER THE PATENT  
COOPERATION TREATY CONCERNING A FILING UNDER 35 U.S.C. §371

*In re* Application of:

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Tatsuo HOSHINO *et al.*

)

Based on Int'l. Application No.: PCT/EP2003/010293

)

Examiner: Not yet assigned

International Filing Date: 16 September 2003

)

Art Unit: Not yet assigned

Filed:

Herewith

)

For: **ASTAXANTHIN PRODUCTION USING FED-  
BATCH FERMENTATION PROCESS BY PHAFFIA  
RHODOZYMA**

)

)

New York, New York  
March 23, 2005

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record the following documents (clean copies and a Form PTO-1449 listing the documents are enclosed). The following documents were cited in the International Search Report, mailed March 31, 2004 in the International application corresponding to the above-captioned case.

## U.S. PATENT DOCUMENTS

	<u>Document No.</u>	<u>Date</u>
A1	6,015,684	1/18/2000

## FOREIGN PATENT DOCUMENTS

	<u>Document No.</u>	<u>Date</u>	<u>Country</u>
B1	WO 88/08025	10/20/1988	PCT

## OTHER DOCUMENTS

- C1 Yamane, Y. *et al.*, "Influence of Oxygen and Glucose on Primary Metabolism and Astaxanthin Production by *Phaffia Rhodozyma* in Batch and Fed-Batch Cultures: Kinetic and Stoichiometric Analysis," Applied and Environmental Microbiology, vol. 63, no. 11, pp. 4471-4478 (1997).
- C2 Ho, K.P. *et al.*, "Growth and Carotenoid Production of *Phaffia Rhodozyma* in Fed-Batch Cultures with Different Feeding Methods," Biotechnology Letters, vol. 21, pp. 175-178 (1999).
- C3 Fell, J.W. and Blatt, G.M., "Separation of Strains of the Yeasts *Xanthophyllomyces Dendrorhous* and *Phaffia Rhodozyma* Based on *rDNA* IGS and ITS Sequence Analysis," Journal of Industrial Microbiology and Biotechnology, vol. 23, pp. 677-681 (1999).

The Examiner's independent consideration of all of these documents and their relevance before issuance of the first official action is respectfully requested. The Examiner is also requested to initial and return a copy of the accompanying form PTO-1449 to evidence such consideration.

Copies of the International Search Report and International Preliminary Examination Report are included herewith. All documents cited in these reports are identified herein and copies of all documents, other than the U.S. patent document, are provided. See MPEP § 609(III)(A)(2)(A) (8<sup>th</sup> Ed., Rev. 2, May 2004, p. 600-128); See also 1276 OG 55 (August 5, 2003) (Waiving the requirement under Rule 98(a)(2)(1) to

1224087.1

provide a copy of each cited U.S. patent document for any application filed after June 30, 2003.).

This Information Disclosure Statement is being filed in accordance with the provisions under 37 C.F.R. §1.97(b)(2), within three months of the date of entry of the national stage of the international application. Accordingly, no fee is believed to be due. If, however, a fee is due, please charge the same to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

Respectfully submitted,

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Form PTO-1449 (Rev. )	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. Docket No. 21405 US C038435/0185664	INTERNATIONAL APPLICATION NO. PCT/EP2003/010293
		APPLICANT Tatsuo HOSHINO <i>et al.</i>	
		INTERNATIONAL FILING DATE 16 September 2003	GROUP Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

Examiner Initial	Cite No.	U.S. Patent Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	6,015,684	1/18/2000	Jacobson <i>et al.</i>			

## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	B1	WO 88/08025	10/20/1988	PCT				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

C1	Yamane, Y. <i>et al.</i> , "Influence of Oxygen and Glucose on Primary Metabolism and Astaxanthin Production by <i>Phaffia Rhodozyma</i> in Batch and Fed-Batch Cultures: Kinetic and Stoichiometric Analysis," <u>Applied and Environmental Microbiology</u> , vol. 63, no. 11, pp. 4471-4478 (1997)..
C2	Ho, K.P. <i>et al.</i> , "Growth and Carotenoid Production of <i>Phaffia Rhodozyma</i> in Fed-Batch Cultures with Different Feeding Methods," <u>Biotechnology Letters</u> , vol. 21, pp. 175-178 (1999).
C3	Fell, J.W. and Blatt, G.M., "Separation of Strains of the Yeasts <i>Xanthophyllomyces Dendrorhous</i> and <i>Phaffia Rhodozyma</i> Based on <i>rDNA</i> IGS and ITS Sequence Analysis," <u>Journal of Industrial Microbiology and Biotechnology</u> , vol. 23, pp. 677-681 (1999).

EXAMINER	DATE CONSIDERED
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.